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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

6155
6234

September 17, 2014

Certified Return Receipt
7004 2510 0004 1824 5049

Michael Dalley
Staker and Parson Companies
89 West 13490 South, Suite 100
Draper, Utah 84020

Subject: Second Review of Notice of Intention to Commence Large Mining Operations, Staker & Parsons Company, Keigley Quarry Mine, M/049/0001, Utah County, Utah

Dear Mr. Dalley:

Attached to this letter is a review of the most recent submittal for the Keigley quarry permit, M/049/001, received by the Division of Oil, Gas and Mining July 16, 2014.

The Division is disappointed with the response. Several comments from the previous review were either not addressed or the responses were not adequate. Of particular note is the asphalt plant which was included in the previous submittal but was taken out for the most recent version. A few comments in this review discuss this issue and the reasons it needs to be included as part of the mine and reclaimed area.

Please contact the Division no later than September 30, 2014, to arrange a meeting to talk about the issues in this review. Please submit your response to these comments no later than November 24, 2014. The Division is unlikely to give an extension to this deadline, and failure to adequately address the comments by this date may result in further enforcement action which could include an order to cease operations.

If you have questions about this review, please contact me at 801-538-5261, or the appropriate reviewer: April Abate (aa) at 801-538-5214, Lynn Kunzler (lk) at 801-538-5310, or Wayne Western (whw) at 801-538-5263. Thank you for your cooperation.

Sincerely,

Paul B. Baker
Minerals Program Manager

PBB: aa: eb

Attachment: Review

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**INITIAL REVIEW OF AMENDED NOTICE OF INTENTION
TO COMMENCE LARGE MINING OPERATIONS
STAKER & PARSONS
KEIGLEY QUARRY**

**M/49/0001
September 15, 2014**

R647-4-105 - Maps, Drawings & Photographs

105.3 - Drawings or Cross Sections (slopes, roads, pads, etc.)

Comment #	Sheet/Page/Map/Table #	Comments	Initials
1	Map 6	The reclamation treatment map shows that a portion of the railroad is in the southern portion of the permit boundary. Is this accurate?	aa
2	Maps 6 & 7	The operator provided two north-south cross sections. Two additional east-west cross sections should be added on interval of every 1,000 feet. The Division needs cross sections to evaluate the reclamation plan.	whw

R647-4-106 - Operation Plan

106.5 - Existing soil types, location, amount

Comment #	Sheet/Page/Map/Table #	Comments	Initials
3	106.5	<p>Comment 12 from the previous review: "The Notice includes discussion of the soil types outside the quarry, and this needs to be extrapolated to soils in the permit boundary. The rule requires a description of existing soil types as well as the location and extent of topsoil. The section currently only addresses topsoil."</p> <p>It appears this comment was not understood. Please provide a discussion of the soils within the region. It is understood that most of the bonded area is disturbed by mining; the soils in the northern half of the boundary as well as the native soils of the area still need to be characterized. The Utah Automated Geographic Reference Center (AGRC) provides information for soil datasets on their website: http://gis.utah.gov/?s=soil.</p>	aa
4	Page 14	The proposal states that no topsoil was salvaged, yet Table 1 under 106.3 indicates there are topsoil stock piles within the disturbed area at various locations. Please include the required soil descriptions.	lk

106.7 - Existing vegetation - species and amount

Comment #	Sheet/Page/Map/Table #	Comments	Initials
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Comment #	Sheet/Page/Map/Table #	Comments	Initials
5	Page 15	<p>Comment 13 from the previous review: "It is suggested that the vegetation survey be completed during late May – early June."</p> <p>In response to this question, the Notice indicates no vegetation survey will be done since all of the current permit area is disturbed. However, these data are needed to provide reclamation standards and evaluate revegetation plans. Areas adjacent to the disturbance are within the control of the operator. These areas should have the vegetation surveyed to provide the needed data.</p>	lk

R647-4-109 - Impact Assessment

109.2 - Impacts to threatened & endangered wildlife/habitat

Comment #	Sheet/Page/Map/Table #	Comments	Initials
6	Page 19	<p>This page references Appendix G for more information about threatened and endangered species. The correct reference is Appendix F.</p> <p>Please include a brief evaluation of potential effects to the species included in the list in Appendix F.</p> <p>Comment 16 from the previous review: "Loss of 300 acres of habitat is an impact. Please correct statements that there is no threat to wildlife habitat."</p> <p>The proposal says it is not known what impacts to wildlife or endangered species has occurred at this site. While it is not known exactly which species occurred in the area prior to mining and how they used the area, it is known that approximately 300 acres of habitat have been disturbed. Please include a statement to this effect.</p>	pbb and lk

109.5 - Actions to mitigate any impacts

Comment #	Sheet/Page/Map/Table #	Comments	Initials
7	Omitted	<p>Comment 18 from the previous preview: "This section should briefly discuss and reference the plans to mitigate impacts to the various resources, and a commitment to follow the mitigation plans."</p> <p>The former proposal included a plan to mitigate for soil impacts (loss of soil resources). Suitable soil substitute materials would be salvaged and saved for reclamation. This commitment has been removed from the NOI but needs to be restored.</p>	lk

R647-4-110 - Reclamation Plan

110.2 - Roads, highwalls, slopes, drainages, pits, etc., reclaimed

Comment #	Sheet/Page/Map/Table #	Comments	Initials
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Comment #	Sheet/Page/Map/Table #	Comments	Initials
8	Plate 7 and Section R647-4-110.2	<p>Comment 22 from the previous review: "On Plate 7, the highwalls are shown to be 100 feet high at a 1H:1V slope with 20-foot benches every 20 feet, but Section R47-4-110.2 says all highwalls will be left no steeper than 2H to 1V. Please correct this apparent contradiction. "</p> <p>This comment was not addressed.</p>	whw
9	Pg. 21	<p>Comment 23 from the previous review: "The Division recommends that topsoil (or plant growth material) be placed at a minimum depth of six inches on the quarry floor and other disturbance areas. The volume of topsoil needed should be calculated and added to the topsoil management plan"</p> <p>Only the commitment to place six inches of soil material for reclamation was provided. Please calculate the volume needed, where the material will come from, how it will be obtained, and how it will be protected until used for reclamation.</p>	<p>aa</p> <p>lk</p>

110.3 - Description of facilities to be left (post mining use)

Comment #	Sheet/Page/Map/Table #	Comments	Initials
10	Pg. 12	<p>Comment 11 from the previous review: "The hot mix asphalt plant needs to be included in the Notice. It is within the permit boundary, associated with mining operations, and will ultimately need to be reclaimed. It needs to be accounted for in the demolition surety calculations."</p> <p>The operator stated that the hot mix asphalt plant would not be included in the NOI. The asphalt plant is considered processing associated with the mining operations, and reclamation of the plant is included in the reclamation cost estimate. Please change the verbiage in the NOI and correct Map 6 to show that the hot plan is included in the reclamation cost estimate calculation and the area to be reclaimed. As with other facilities and alternate postmining land uses, the Division may allow the hot plant to remain following reclamation if the postmining land use is feasible, but it needs to be included in the reclamation plan and the surety. Please see further discussion of this issue under comment 11 below.</p>	aa
11	Page 22 – Table 7	<p>Comment 25 from the previous review: "The Notice says no surface buildings will remain after reclamation, but this table contradicts this statement and lists many buildings (and other facilities) that will remain. The plan needs to show removal of all buildings. The Division could allow them to remain if, at the time of reclamation, it can be demonstrated that they have utility for the postmining land use. Please correct this table to show all buildings will be removed at the time of reclamation."</p> <p>Page 22 has been modified to state that some facilities will remain on site after reclamation. The Division may allow facilities to remain after reclamation if they have utility for the postmining land use, but the NOI must include plans, and reclamation surety, for reclamation to the premining land use. If it becomes necessary for the Division to forfeit the surety and conduct reclamation, the site will be reclaimed to the premining land use, not to an alternate use. The Division would not have the resources to develop the site, for example, to an industrial park. For this reason, the Division must have adequate funds for full reclamation.</p>	lk

110.5 - Revegetation planting program

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
12	Map 6	This map needs to show plans for reclaiming the area of the hot plant though, as discussed above, the Division may allow the hot plant to remain following reclamation if it has utility for the postmining land use. Please modify the text on the map accordingly.	lk	

R647-4-113 – Surety

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
13	R647-4-113 Surety	Please include costs for transporting soil from storage areas. Alternatively, show that soil is stockpiled so that the average push is 300 feet to place the soil on the reclaimed areas.	whw	
14	Plate 7 and Section R647-4-110.2	The Division is unable to evaluate the reclamation cost estimate until it knows if the slopes will be reclaimed to 1H to 1V or 2H to 1V. On Plate 7, the highwalls are shown to be 100 feet high at a 1H:1V slope with 20-foot benches every 20 feet, but Section R47-4-110.2 says all highwalls will be left no steeper than 2H to 1V. Please correct this apparent contradiction.	whw	
15		The itemized surety calculation cover sheet totals for Demolition/Removal, Backfilling/Grading do not match the figures on the backup worksheets. For example, the total for Demolition and Removal on the cover sheet is \$465,217.48. The worksheets do not show that figure in the subtotals. The Backfilling and Grading total on the summary page is \$940,607.23, but the worksheets subtotal labels the \$940,607.23 under Demolition and Disposal. Please reevaluate the demolition costs and correct these discrepancies.	aa	